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ORIGINAL

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES



Department of Land Management Conference Room
ITC Building, Tamuning



Thursday, July 14, 2016
1:44 p.m. to 4:00 p.m.

**GUAM LAND USE COMMISSION
Regular Meeting
Thursday, July 14, 2016**

Department of Land Management Conference Room
3rd Floor ITC Building, Tamuning

MEMBERS PRESENT:

Mr. John Arroyo, Chairman

Mr. Victor Cruz, Vice Chairman

Ms. Conchita "Chit" Bathan, Commissioner

Mr. Tae Oh, Commissioner

Mr. Michael Borja, Executive Secretary

Ms. Kristan Finney, Legal Counsel

PLANNING STAFF PRESENT:

Mr. Marvin Aguilar, Guam Chief Planner

Ms. Celine Cruz, Case Planner

GUAM LAND USE COMMISSION GUAM SEASHORE PROTECTION COMMISSION Attendance Sheet

Department of Land Management Conference Room
590 S. Marine Corps Drive, Third Floor, ITC Building, Tamuning

Date of Meeting: Thursday, July 14, 2016

Time of Meeting: 1:44pm

X	GLUC
X	Regular
	Special
✓	Quorum
	Non-Quorum

	GSPC
	Regular
	Special
	Quorum
	Non-Quorum

COMMISSION MEMBERS

John Z. Arroyo, Chairman

Conchita D. Bathan, Commissioner

Victor F. Cruz, Vice Chairman

Tae S. Oh, Commissioner

Vacant, Commissioner

Vacant, Commissioner

SIGNATURE

[Handwritten signatures of John Z. Arroyo, Conchita D. Bathan, Victor F. Cruz, and Tae S. Oh]

Michael J.B. Borja, Executive Secretary

Kristan K. Finney, Legal Counsel

Marvin Q. Aguilar, Chief Planner

Frank Taitano, Planner IV

Penmer Gulac, Planner IV

Celine Cruz, Planner IV

Jeffrey Baker, Planner II

M. Cristina Gutierrez, WPS II

[Handwritten signatures of Michael J.B. Borja, Kristan K. Finney, Marvin Q. Aguilar, Frank Taitano, Penmer Gulac, Celine Cruz, and Jeffrey Baker]

ON LEAVE

ADJOURNMENT:

Adjourn
4:10 pm

Public Attendance Record

<input checked="" type="checkbox"/>	GLUC	<input checked="" type="checkbox"/>	Regular	Date:	Thursday, July 14, 2016
<input type="checkbox"/>	GSPC	<input type="checkbox"/>	Special	Time:	1:44 pm
<input checked="" type="checkbox"/>	Quorum	<input type="checkbox"/>	No Quorum	Adjournment:	Approx 4:00 pm

[illegible]

GUAM LAND USE COMMISSION REGULAR MEETING MINUTES
Department of Land Management Conference Room, 3rd Floor ITC Bldg., Tamuning
Thursday, July 14, 2016 • 1:43 p.m. to 3:20 p.m.

I. Notation of Attendance

Chairman Arroyo called to order the regular meeting of the Guam Land Use Commission for Thursday, July 14, 2016 at 1:43 p.m., noting a quorum.

Present were: Chairman John Arroyo, Vice Chairman Victor Cruz, Commissioners Conchita Bathen and Tae Oh, Executive Secretary Michael Borja, Legal Counsel Kristan Finney, Guam Chief Planner Marvin Aguilar, Planning Staff Penner Gulac and Celine Cruz

Chairman Arroyo the order of the agenda any issues or problems, any changes to be made? [None noted] Let's move on with the first item on the agenda –

II. Approval of Minutes

Chairman Arroyo we have the approval of the June 9th Minutes. If you've all had an opportunity to read that I will entertain a motion to approve the Minutes.

Commissioner Bathen Mr. Chair, I will make a motion to approve the Minutes of the GLUC Regular meeting on Thursday, June 9, 2016 subject to any minor corrections to be submitted to Cristina or Celine within the day.

Chairman Arroyo there's a motion by Commissioner Bathen, do I have a second.

Vice Chairman Cruz I second.

Chairman Arroyo second by the Vice Chair; all in favor say "aye" [**Chairman Arroyo, Vice Chair Cruz, Commissioners Bathen and Oh**]. Minutes are approved.

[Motion passed unanimously; 4 ayes, 0 nay]

III. Old or Unfinished Business

Chairman Arroyo any old or unfinished business?

Marvin Aguilar (Chief Planner) none at this time sir.

Chairman Arroyo okay. Let's move onto the first item under "New Business."

IV. New Business

Zone Change

- A. The Applicant, Mr. Sang Hon Yi represented by W.B. Flores & Associates; request for a zone change from "A" (Rural) to "M1" (Light Industrial) zone for the proposed construction of an automotive repair and fabrication shop, on Lot 5221-1-6, in the Municipality of Barrigada, under Application No. 2014-33. Case Planner: Penmer Gulac

Marvin Aguilar as you can see we distributed an email correspondence with the Case Planner Mr. Penmer Gulac requesting that their application be withheld from this hearing at this point or postponed until the next available hearing. They note that their sign requirement or advertisement requirement was not met.

[Exhibit 1 – Email Correspondence from Richard Sana dated July 14, 2016]

Chairman Arroyo so the date wasn't changed.

Marvin Aguilar well it was changed, but they inadvertently did not meet that five-day publication requirement. So at this time they recognized it and we recognized it as well and we concur with them. We also have an updated transcription of our Minutes that we submitted with our staff report. It's updated at this point. I think we had distributed it to the Commissioners, and if we have not we will do so as soon as possible. And likewise, there was an issue about the authorization. The applicant has been made aware of that or rather his representative and the appropriate documents will be submitted for your review as well.

Chairman Arroyo alright, so we're going to postpone the hearing of this application until the next time we put them on the agenda whenever that's going to be.

Alright, so the next item on the agenda –

V. Administrative and Miscellaneous Matters

Zone Variance/Renewal

- B. The Applicant, Rosalinda L. Cura; requests renewal of a previously approved Use Variance for a home-based operated barber/beauty shop, on Lot 18, Block 5, Tract 112, Unit 1, in an "R1" (Single Family Dwelling) zone, in the Municipality of Dededo, under Application No. 2013-43B. Case Planner: Penmer Gulac

Marvin Aguilar summarized the staff report to include purpose, facts, staff analysis/discussion, recommendation and conditions. [For full content/context, please see Attachment B.]

[Attachment B – Staff Report dated July 8, 2016]

The applicant has been trying to get back on the Commission hearing for the past two months and this renewal was initiated by the applicant which is indicative of her desire to adhere to all the conditions to include the timeline. There was an attempt ... or a request on her part to see if she could secure a permanent variance at this time so that she wouldn't have to be coming back to the Commission and perhaps maybe won't compromise any possible loan, commercial loan she may need to maintain the facilities. But at this time, I felt that my recommendation of three (3) years would be an extension of the total, for a total of five (5) years to which time would be adequate to show that the business is viable, that it doesn't impact the community and so for the past two (2) years it's been as such. That's why we recommended for an additional three (3) years. Likewise, we did identify in our original assessment is that this is what they call the old Kaiser of Dededo. It was the first subdivision through Kaiser Aetna Hawaii. It was created in 1967, and perhaps they didn't have enough, they didn't have that foresight as to how the YSeng-Song easement or Route 26 or 27 was going to evolve to become this major route, alternative route through from one point of Dededo to the other point. And as you can see, and if you've driven in this area, it is a major thorough-fare. So, from a planning perspective you would think that all these fringing lots along Y-SengSong would be, opposition would be to consider other uses, consider land uses other than residential use; and YSengSong is that prime...is prime for that forethought. Likewise from the end of the northern portion of the old Kaiser subdivision leading all the way up to the intersection of Routes 3 and 26 or 27 (whatever it is), you have request for commercial uses as well. And they are also in the same situation with attempting ... they're in the same situation right now whereas we cannot fully support this need to convert to non-residential use to commercial/industrial use because the current layout that was established back in the sixties for residential use; like for example the Astumbo area where Tract 240 is located. They had established some commercial uses within the government subdivision. However, for some reason they didn't put it along YSengSong. It was strategically placed throughout Astumbo subdivision but it really didn't make real sense why we're not using YSengSong for that gathering point for commercial/industrial use or commercial use. The GHURA they're seeing the affects of their planning and they have made attempts to make some changes through their master plan. There's been some land exchanges so on and so forth; but most of those land exchanges were for, of course, for non-residential uses. So, there is some reaction, some government reaction to what YSengSong has evolved to to be and perhaps maybe we can work with the MPC in the very near future to try to do some strip-zoning along YSengSong and perhaps maybe support these types of activities which at this point, given the population is (undecipherable) there.

Chairman Arroyo any questions?

Commissioner Bathan Marvin, I have a question on Item D of your recommendation. When there is a change in ownership does Land Management have to be involved because the condition of the use goes with the ownership of the property?

Marvin Aguilar well, because it goes with the land we want to make sure that whoever is going to be the new owner or operator is understanding of the conditions as well. We don't want to pass it on; so there has to be some government, some regulatory intervention to make sure that that transition is understood that you have conditions.

Commissioner Bathan and we do that for all conditional land use applications.

Marvin Aguilar we try to do that, we try to that but perhaps maybe in some cases we haven't done it but we are trying to catch ... we see that people do transfer their ... and likewise if Ms. Cura decides not to opt to end this business venture, it will revert back to residential use. So, she has the option to sell it as a house or sell it as a barber shop. But clearly, if it is a barber shop, the conditions run with the land.

Chairman Arroyo are you aware if property is transferred.

Michael Borja (Executive Secretary) the Notice of Action is for the record. The conditions will be on there.

Chairman Arroyo but how are you aware so that you can meet with the new

Marvin Aguilar it will be part of this NOA right now, which will be caught by the PTR.

Chairman Arroyo so the new owner will see it in his PTR. But how are you aware that there is a new owner so that you can call him in and say, okay here are the perimeters of the use variance. How does that happen?

Marvin Aguilar well at this point that's a very good question. We have to be very diligent with all these applications that come through the Guam Land Use Commission to make sure that these timeline particular dates come up. We're really trying to work at this point with DPW to secure a permit tracking program which is supposed to be GIS based. From the day a permit comes in it clicks on it's supposed to go this really (you know) cool things to include tickler timelines and what-not.

Chairman Arroyo so you're saying basically it won't necessarily the conveyance that will trigger to a new owner, but it would be a new business license for that same location.

Marvin Aguilar because we have that over-arching responsibility as well with business licenses, and we almost always catch it, catch things like that.

Commissioner Bathan what if it's transferred. What if they already changed the ownership?

Marvin Aguilar we can catch it on the business application side as well; we sign off on business applications. But we're working within the tools we have today; so we're pushing for two things, we're doing internal tracking and then we want to expand that tracking to other agencies particularly those agencies directly involved with the issuance of business licenses, building permits, clearing/grading permits and what-not. And just having this multi-agency transparency we've cut down half of the problems we deal with annually.

Commissioner Oh from my recollection there was a resolution that was passed a few months ago concerning limited commercial. I would think that this is probably a perfect situation for limited commercial because the area itself is developed as a residential. And I believe we did approve further down the road, just recently, approved a limited commercial.

Marvin Aguilar and we have to eagle eye that project until something is ... until we have a...establish some hard process to make sure we see it everyday.

Michael Borja well, this whole Kaiser development came with a significant of covenants. Are there covenants that are restricting these kinds of things in this area?

Marvin Aguilar as a matter of fact when they ... good point, good question. When Ms. Cura came before the Commission the first time around she had to follow the rules of the covenant. Although the covenant exists administratively, it's not being backed or supported or enforced by any means by any homeowners' association. The enforcement...the relationship she has with any type of enforcement is basically with the enforcement agencies that have oversight over her business operations as well as the MPC through the Mayor. Getting back to the covenants, there were restrictions, major restrictions. You couldn't have any commercial activities. The only use permitted was single family. As you can see at this point, and I don't know how Rev and Tax is enforcing this; but that's ... YSengSong or Tract 112 and Tract 100C most of those homes have duplex extensions. They do. I'll say that for the record. Whether they're legal or not that is something to be investigated later on. But some of those properties have been rezoned by the Legislature to include the John Del commercial building at the corner of Fatima and Route 1, the gas station there that was rezoned by the Legislature. So in a sense ... well in a lot of sense the covenant was broken, and mostly because mostly of a non-viable homeowners' association to enforce it and for whatever reason. It is not a homogenous single family dwelling subdivision as it was intended back in 1967. But Ms. Cura, part of the covenants that she, within her immediate area, garner fifty-one (51) percent of her neighbors to approve or concur with her request. My understanding through the Case Planner is that she actually went to every home, finding out who were the property owners, and getting them to sign a petition to garner that fifty-one percent which she did. And that was that one component of the application that supported her to get it approved.

Commissioner Oh is that part of the CC&R? Was that a condition set?

Chairman Arroyo and she did, I remember that.

Commissioner Oh just a thought. Situations like this where you have a defunct homeowners' association. Let's say there is a new owner that comes in and they are seeking financing and there is an existing CC&R in place, but it's not enforced. Obviously, I'm sure certain cases there will be in violation of the CC&Rs, how would the financial institutes and including title insurance companies normally observe these?

Marvin Aguilar normally all these discrepancies that are caught are caught by the (undecipherable) and then it filters down to us to try to rectify. That's about thirty percent of the work they do everyday is catching these non-compliant uses. So, hope that answers your question....

Commissioner Oh if you catch it how do you go about resolving it?

Marvin Aguilar a lot of times you would have to tear it down. If you have a duplex out there and it wasn't approved by

Vice Chairman Cruz but is that homeowners...recorded? It's recorded?

Marvin Aguilar yes not the homeowners association, but the CC&Rs are recorded.

[Discussion ensues of the Kaiser subdivision and its CC&Rs]

Commissioner Bathan going back on the recommendation. The concern that I have on this item is that it says here that the Guam Chief Planner has to be informed of the intent to transfer ownership or to sell the business right. So, the issue that I have is if for example they did it after the fact does then does that violate a condition the NOA and violates

Marvin Aguilar it shouldn't, no, it shouldn't. The whole idea is to make sure that whoever comes into possession of the property or the business that they understand through our office there is a Notice of Action that was issued that they have to follow some conditions should they decide to continue the facilities, the barbershop activities. But, it shouldn't apply to anyone who wants to reconvert back to a home. But that's the bottom line. It doesn't matter when they do it at this point but we do need to make sure at least memorialize it with us, the government, that the owner does recognize ... and in consulting with Ms. Cura she doesn't intend to sell it she wants to keep it. Just to add on with the ... on the issue of a 36 month issuance. She was requesting to have a permanent variance applied. The other way the Commission can look at this is to allow a permanent variance and to make sure that she follows the conditions as she goes. But there has to be strict conditions as to what would happen should she fail to comply in years to come. Hopefully the government can step in, we can (you know) do something like commercial strip zone that whole road, but until that happens there's got to be an immediate government oversight on these issues.

Commissioner Oh but at the same time what are most of the conditions that she has to meet. It seems like it's pretty much like parking, chairs, sanitary permits. These are all like business license conditions most of them.

Commissioner Bathan I think that's why we were limiting the number of chairs because there is a problem with the number of parking it's very limited.

Marvin Aguilar and hopefully within twenty-four months they've already established a clientele. And at the same time too we are working with DPW. We're attempting to work with DPW to track some of those commercial uses that are in violation, completely in violation along YSengSong.

[Discussion ensues on commercial businesses along YSengSong Road and upcoming issues with Alegeta Road.]

Chairman Arroyo if there aren't any questions we'll invite the applicant to come up and make a statement or provide some comments. If you could just mention your name for the record.

Rosalinda Cura I am here again to ask for your favorable help with the continuing the operation. I provided some documents; a letter for the Chairman in renewing the place. Also a recommendation from the Mayor's Office and some photos of the site for you to see.

Chairman Arroyo yes...because we couldn't see them very well from the ... if you can just go through those Marvin.

Marvin Aguilar (referring to the photos) this is the front of the shop. This is front of the shop, this is the interior; actually what you see right here is the converted garage area that works from the front to the back and so it's kind of galley-designed. I wish we could show the other wall, but it's narrow but it can fit three chairs. There's actually a fourth chair but only a support chair if something should happen. It's not in operation at this time. We didn't get any photos on the side or the rear, but from our inspection they are in compliance. The property or the operational space is a little under 500 square feet and I required I think five parking stalls including ADA. Where would be your ADA parking be; I think it's on the right side.

Rosalinda Cura handicap? It's on the right side.

[Chief Planner Aguilar continues to show photos to include the sanitary permit which expires June 2017; a copy of the establishment license that is issued by the Board of Barbering and Cosmetology. It was further noted that there are two operators; Ms. Cura and her son Ken-John Garcia; business license photo, all licenses were issued in compliance to the allowances that are provided by the Notice of Action.]

Chairman Arroyo did you have more that you wanted to say.

Rosalinda Cura no, just if you can approve it.

Chairman Arroyo how is your business doing?

Rosalinda Cura doing real well. We make like twenty-five (25) customers a day.

Chairman Arroyo what are your hours of operation?

Rosalinda Cura 11:00 a.m. to 7:00 p.m.

Chairman Arroyo is that five, seven, six days a week?

Rosalinda Cura everyday.

Chairman Arroyo so you're open seven days a week?

Rosalinda Cura yes, sometimes we just take days off when there's a special occasions (sic).

Chairman Arroyo Marvin was saying that you've got seven parking, five parking required.

Marvin Aguilar five in the front and then employees park in the back.

Chairman Arroyo and how many employees do you have?

Rosalinda Cura there's only two and then one part-time.

Chairman Arroyo so you probably at most two, three parked in the back?

Rosalinda Cura two because the other one just get dropped.

Chairman Arroyo when we were discussing this a couple years ago we wanted to make sure that the park area in the rear wasn't being used as a driveway to the rear of your house for your employees to park. They're not doing that are they?

Rosalinda Cura no, but sometimes we do but we try not to do it anymore because it's enclosed right now.

Chairman Arroyo okay good. Any questions?

Marvin Aguilar that was actually one of the immediate concerns of the Mayor was to make sure that all parking was internal. For obvious reasons, no side street parking and some folks tried to do that. So, she's been able to maintain all the parking requirements within the property.

Rosalinda Cura and also to add that the people there they notice that it's limited parking so what they do is they drop off their kids and then they get called and pick them. So, sometimes you'll see no cars parked in the front but there's people inside because they were just dropped off for that reason.

Commissioner Bathan how many employees do you have?

Rosalinda Cura two, three. Only my son and the other guy part-time because he goes to school

Commissioner Bathan and you and your son stay in the place?

Rosalinda Cura yes.

Chairman Arroyo any other questions? [None noted] Okay, so at this time I'll open the floor for public comment. Anyone has any public comments?

Public Comments [Seeing none, Chairman Arroyo closed public comments]

Chairman Arroyo you were asking for a permanent variance, use variance and the Chief Planner feels that we're not at this point ready to grant that that maybe after another three (3) years of steadying your business and your operation and how everything all fits into the neighborhood which I think is because it still is predominantly residential even though you do happen to live on a very busy street; there is justification for considering the rezoning of that. There is another opportunity that is available to you probably in the future maybe another three (3) years from now. When you were here the first time or the last time, we chose to use the use variance because we were a little bit concerned about granting a more permanent commercial rezoning for the property. I think that is what you were applying for; primarily because of those reasons that we had brought up back at that time. But since then, we've made use of a zone, in the law itself wasn't necessarily described properly or described at all. So, we took it upon ourselves to do that through a resolution and that is called a "limited commercial" zone, and your property probably fits really well within that particular zone because what we end up doing is we end up placing certain conditions on the use of your property. But, it's rezoned and it's a permanent zone as opposed to continuing on as a use variance even if it is a permanent use variance. You would be ... your property would be zoned for a better fit for what you do.

If there aren't anymore questions or comments, I'll entertain a motion.

Marvin Aguilar we did also discuss after ... expect that there has to be a continuance of her variance it shouldn't stop her from requesting within the three (3) years to ask for a permanent as well. I want to make sure that goes on record.

Chairman Arroyo what we're saying is that even though we're going to give you a three (3) year period, anytime within that three (3) years you are not precluded from coming back and asking for a zone change to limited commercial. Do you understand?

Rosalinda Cura so I can come in anytime and ask for a

Chairman Arroyo within the three-year period and ask for a limited commercial zone change. Okay, any other questions or comments? Does anybody want to put forth a motion?

Commissioner Oh Mr. Chairman, I move to approve the applicant, Rosalinda Cura; her request for renewal of a previously approved use variance for a home based barber/beauty shop on Lot 18, Block 5, Tract 112, Unit 1 in an "R1" zone, in the municipality of Dededo, under Application No. 2013-43B; subject to the following conditions:

- A. Adhere to all applicable conditions as specified in the previously issued NOA, under Document #865431;
- B. This approval shall be for an additional three (3) years, to which time shall commence from date of recordation on an updated NOA;
- C. That at the end of each year the facility shall be subject to an annual inspection to ensure compliance of conditions as issued by the Commission are adhered to; and,
- D. That upon the applicant's desire to either discontinue such use and/or transfer current business activities to a new owner or operator, that the Guam Chief Planner be notified of such intent for the purpose of providing additional guidance to the applicant.

Chairman Arroyo moved by Commissioner Tae. Can I get a second?

Vice Chairman Cruz I second.

Chairman Arroyo second by the Vice Chair; discussion. No discussion; all in favor of the motion say "aye" [**Chairman Arroyo, Vice Chair Cruz, Commissioner Oh and Bathen**], all opposed say "nay."

Motion passes. We'll see you in three years or sooner.

[Motion to approve Application No. 2013-43B passed unanimously; 4 ayes, 0 nay]

Chairman Arroyo next item on the agenda is just a status report --

Status Report

- C. The Applicant, BME Sons, Inc.; status report for the operation of an existing contractor's yard, on Lot 10, Tract 293, in the Municipality of Mangilao, under Application No. 2002-30C. Case Planner: Penmer Gulac

Chairman Arroyo so this is just a status report.

Penmer Gulac summarizes supplemental staff report to include facts, purpose, staff discussion and recommendation. [For full content/context, please refer to attached report]

[Attachment C – Supplemental Staff Report dated July 1, 2016]

Marvin Aguilar one of the photos that I failed to include and I think was critical is the gate-system that they use. This is actually taken inside the facility (refers to photo). You see that's their main office with their sign on it; what's missing and you do have a copy is the gate. It has a big stop sign there and to me it's important because it shows there's an attempt to segregate the business activity from the community. This property is located in an agricultural subdivision; it's not in an industrial park. So, it was important they kept their activities contained and that they don't cause any type of nuisance to the community.

[Mr. Aguilar continues with a power point presentation of photos of the facility. He explains that the operations are contained and very internal to the property itself.]

Chairman Arroyo questions?

Commissioner Bathan I really appreciate the applicant for maintaining their facilities very clean and orderly and very organized. The warehouse is very clean and as a contractor, it's very important because we have to deal with safety issues and all kinds of things. And so I really appreciate that BME & Sons is doing their best to keep their yard clean. Now my question is the application for the continuance of operation of a construction yard. Does this yard has a warehouse and a office, and I'm not quite sure it also has the temporary workforce housing in it?

Penmer Gulac the workforce housing is off-site; it's GLUC approved in Barrigada.

Commissioner Bathan it's not part of this compound.

Penmer Gulac no, it's coming in in September.

Commissioner Bathan I thought I saw some letter here that was temporary workers...I got kind of confused that it was part of ----

Penmer Gulac they have to manage that off-site.

Commissioner Bathan okay, I just want to clarify that.

Chairman Arroyo any other questions of the staff? [None noted] Would you like to come up and mention your name for the record please.

Danny Natividad [Chief Operations Officer of BME & Sons] good afternoon Mr. Chairman and Mr. Vice Chairman and all the Commissioners. I'm here this afternoon to request your consideration for our continuous use of our contractor's yard in Mangilao.

Chairman Arroyo I think what we're doing right now is ... you don't come up for review until 2018 right?

Danny Natividad that's correct.

Chairman Arroyo we're just listening to the annual report, and I don't believe we need to take any action on this; just to hear how you're doing and to ensure that you're conforming with all the conditions that were set when we first approved this project. And it appears you're doing that and you're doing it very well and we appreciate that. And we appreciate you coming in on a timely manner to provide this report.

Does anybody have any questions or comments of the applicant?

Vice Chairman Cruz the Mayor has no concern, I have no concern.

Chairman Arroyo okay, thank you for coming in. We appreciate your report and the time you've that you've given us. Again, there is no action required all we're doing is listening to the report.

That brings us to the end of the agenda ... except ... Kristan; we are waiting for somebody from your office to come down.

Kristan Finney Attorney David Highsmith he's working with me on these Pago Bay cases, and we was going to be providing you ... he said was going to be down by 2:30 and it's just after that now. Just an update and kind of a status to discuss with you guys.

Chairman Arroyo in regard to that Pago Bay. There have been several bills that have been introduced with respect to maybe reorganizing or changing some of the authorities of the Commission by adding more individuals on the Commission. One bill, I think, thank you all for coming to that public hearing; I think you all gave very good testimony and we'll just see how that goes. That we received an email that there is a round-table bill discussion on that particular bill (I think 318) on Monday at six o'clock. So if you have an opportunity, if you have time, please show and provide any comment there you can. I'm not too sure how that's going to go, but we should be there to put our two cents in. And then another bill introduced by Senator Ada was 335 which seems to be a little bit more palatable than 318. Mike and I were there at the public hearing. Marvin was there as well, and we did provide some favorable testimony. Although we all think that it does need some re-working. There are some issues there that would be a little bit challenging for us as well as for the Mayors. Are you familiar with the

Commissioner Bathan yes, I read it.

Vice Chairman Cruz yeah I read that one.

Chairman Arroyo you all read that one; so, I mean that's a little bit of a twist in that there's a hybrid Commission which we feel is going to be a little more of a coordination issue because we don't typically listen to one zone change a meeting and one use variance a meeting. There maybe two or three of those and if there are four members of a hybrid commission and these applications are from different villages we can have three or four sets of four individuals sitting in the audience waiting for their application to come up. I think Senator Ada realizes that there are some issues that need to be ironed out. There's also an issue on the threshold that was initially set at one million and I read in the paper today that he's probably considering the recommendation he made at five million which is probably going to be better. That way they get involved in more larger projects. So, if you guys can make it on Monday at six o'clock.

Michael Borja but he did note in the public hearing the other day at the Mayors' Council meeting is that they had been invited the Mayors to come to testify to this Bill 335, but nobody was at the public hearing. None of the Mayors showed up.

Commissioner Bathan I didn't attend the public hearing; the one from the Pago Bay residents they were all there?

Michael Borja oh yeah they were all there not all of them, just the regular dialoguers.

Vice Chairman Cruz they don't seem too happy about this bill.

Michael Borja no, they objected to Bill 335. They came in to place their objection to Bill 335; they do not like it at all which was strange.

Commissioner Bathan so the two Bills if for example the application didn't get approved did it address where the applicant can go?

Marvin Aguilar no.

[Lengthy discussion ensues on Bill 335 and issues that need to be worked out if the Bill would be approved.]

Chairman Arroyo why don't we go ahead and take a recess and wait until we get the representative from the AG's Office to come down and then we'll come to session.

[Commission recessed and reconvened; however, times were not noted]

Kristan Finney this is Attorney David Highsmith who is working me on the Pago Bay cases.

David Highsmith I've been working primarily on the case filed by the Mayors. As you know there are two cases; one filed by the two Mayors and one filed by concerned citizens to save Southern Guam. In the Mayors' case is primarily mine and the other one is primarily yours, is Kristan's. They're both attempts to reverse the decision granting permission for the Pago Bay project to go forward. And in fact, the Mayors case copies the documents and things from the other case it's just a one liner.

The AG is saying that ... I think that this is all still tentative. What we will do is stay neutral in these cases that we will enter in appearance and argue that the GLUC was performing in a judicative function which is to say it was acting like a Judge, and that it is not an interested party. It was GLUC's decision, but the GLUC does not own the project, it doesn't want to stop the project. It is just a decision maker just like a Judge in a trial court makes a decision and then it could go up on appeal. Well, the Judge is not a party to the case and in this case your function was to be something like Judges. So, we will enter appearances in the case. I don't think we will be taking a partisan decision unless perhaps the Judge orders us to. But, that's the gist of the AG's position.

So, these two petitions have been filed in Court. The developer is going to have to fight them not us it's his project. Let him hire attorneys and defend it. Now, the original Mayors' case was filed by two Mayors; Yona and Chalan Pago. They have since discovered that there are many many problems with what they filed. They are supposed to be represented by us, but they went ahead without the Attorney General's consent, and they're not attorneys and the Mayors' office has no standing to challenge this, and they are all part of the Executive Branch so they can't go anywhere with this. But, they have tried to cure one of the problems. The Mayors' Council has written a letter to the Attorney General asking that the Attorney General represent the Council and not just these two Mayors; that they enter the Mayors' Council as the petitioning party instead of just these two Mayors' offices. The Attorney General wants to go meet with the Mayors' Council herself and explain what's going on because it's sensitive. And I don't think there's going to be a lot to do here except sit back and see whether the Court say yes or no. We've already told the Mayors we won't represent them and it got some publicity. Jesse Gogue went to the press with it and what can I say, there are going to be hurt feelings and bruised egos and angry people all the way around.

Chairman Arroyo with respect to the timing of the submission of the petitions, I mean, where they submitted on time? Because I think when we were talking about this a while back there was a discussion on the number of days; was it fifteen days, I mean that's what the law says and maybe some ... Mayors interpreted fifteen ... well, was the timing of the filing

Michael Borja no, no, no it was very short. It was ten or fifteen days it was really short. But the law didn't say working days, calendar days it just said ten days or fifteen days. So, the way they did it was

Chairman Arroyo the filing of the NOA versus of the Findings of Fact, and I think we were saying that it was the trigger date was the Finding of Facts

Michael Borja it said Finding of Facts when I took the latest date that it was signed because there were two signatures the Land Management Director and the Public Works Director and once the Public Works Director signs it then that's the date. But it was calendared ... they seem to have taken those days to being working days because there was also a holiday in that period and they ... so May 31st came up to that point. Otherwise, it would have been a few days earlier had they not taken the ... was supposed to be calendar days.

David Highsmith we'll have to take a look at that.

Kristan Finney when I initially looked at the petitions when they came I don't recall that there was a timing issue. We can go back and look at that.

Chairman Arroyo the Mayors were talking about it and even the Save Southern Guam they were thinking it was the filing of the NOA not the Findings of Fact. The Findings of Fact was an earlier date then the filing of the NOA which even throws the timing off.

Michael Borja no, when I read the law there was a specific period based on, and whatever it says when the Director signs it it said the date of the ...those days it's signed.

David Highsmith it would be ten days I would think not ten working days. If the tenth day falls on a Saturday, Sunday or a holiday then it is extended to the next working day.

Michael Borja we'll take a look at that because the ten days would have been definitely the week before, and Monday was a holiday and Tuesday they filed that was the 31st. They would have Should have been on Friday or Thursday or something like that.

Celine Cruz it's fifteen days.

Michael Borja fifteen days?

Commissioner Bathan fifteen days from when?

Celine Cruz after the filing of the Commission's decision and the Department of Land Management and the Department of Public Works.

Marvin Aguilar that's the cover sheet and it has those signature blocks for both Directors.

Michael Borja so fifteen days, but it just said fifteen days not calendar days, work days.

Celine Cruz no.

Kristan Finney the Commission's decision, I mean that would be the day of the Notice of Action.

Chairman Arroyo (reads law) ... so it's just the Findings of Fact.

Kristan Finney that only gets filed with the Department of Public Works.

Chairman Arroyo there's a document ----

Michael Borja no, no there's a document that we sign. There's a separate page where the two Directors sign and so I started to count on the day the last signature was placed which was Public Works.

Vice Chairman Cruz that's fifteen days from there.

Michael Borja and then fifteen days from there.

Kristan Finney and do you recall what date you came up with.

Michael Borja I came up with that Friday before.

Chairman Arroyo so, let's say this goes all the way up to the Court. What are some of the possible conclusions or results that can come out of this thing.

David Highsmith I think they're both in agreement that it will probably be affirmed. It can be reversed which means thrown out, nullified if you will. But that wouldn't stop the developer from filing another petition or it can be ... if they found some defect in the way things were done it could get sticky. The Court could send it back down to the Commission and say, oh you have to do this or this and this, and then decide whether if you approve or not. Or it can just be affirmed outright and it's fine, let it go. Let it go forward. But, you're talking a couple of years really. Because I think whatever the trial court decides it'll go up on appeal. This is such an emotional thing. I think that these people are just pushing it to the max.

Michael Borja who is the Counsel representing Save Southern Guam?

Kristan Finney Leevin Camacho.

David Highsmith Leevin Camacho; he's young, but he's smart.

Kristan Finney he's very smart.

Michael Borja he's an activist ---

Commissioner Oh can the developer move forward right now at this point?

David Highsmith there's no order preventing them. But, of course they'd be kind ofthey might be full hearty to do so to sink more money into this when it could all be chucked out by the Court.

Kristan Finney if the developer appears and defends the decision by the Court it would be a lot quicker.

Vice Chairman Cruz you mean if they go to Court and the Developer is not there.

Kristan Finney yeah, like David was saying they would need to defend the decision if they chose to do that and if they don't then of course (undecipherable) going to Court ... one way or another it would be a much faster decision. I haven't heard from any attorney representing them yet.

Michael Borja there's no hearing date and a judge set yet?

David Highsmith no; a couple of Judges have already gotten off the case.

[Discussion ensues on Judges who have recused themselves from this case as well as those Judges may be assigned to this case.]

Chairman Arroyo from time to time (at least I do) get phone calls from the media wanting some kind of comment, and I've chosen not to say anything.

David Highsmith I think that's much the best to do.

Marvin Aguilar is this case very A-typical? Since the Commission had acted upon the authorities that they interpret as the authority, can this be considered a-typical? Can we get something so that the Commission can press on with the business that it does. Because it looks like there's a potential to put every decision they make on a variance.

David Highsmith I think all the Commission can do is (undecipherable) on. Keep doing its job and hope for the best. I think there will be some guidance eventually from the Courts.

Kristan Finney I'm not sure what you mean by this was a-typical. What do you think was a-typical about it.

Marvin Aguilar well, what's a-typical was the Commission (undecipherable) petition. They went against what the community wanted or for that matter the MPC resolution. It makes that a-typical. If the argument on that then there's going to be these cases that an MPC would recommend approval but they're going to see something else and they're going to go against it.

Kristan Finney which is why the procedure exists to appeal the decision. This isn't, I mean it's not a-typical for something that would go to Court. That's what that process is for.

Marvin Aguilar but it's starting to sound like although you're going to the appeal process and although it's not completed that now having even this issue getting it to the appeals process and getting it started on the appeals process because people are dropping out not wanting to participate. Now you find the process at this point, the quandary right ...

Kristan Finney what do you mean people are ...

Marvin Aguilar the Judges, they're not wanting to take part of it.

Kristan Finney that's completely common. Like in the case of Judge Cenzone, I believe in recusing herself she said that she lived in the area. So, it's not, it's not unusual for a Judge to be assigned a case and then they have some kind of connection that either they have a bias or in some cases it might look like they have a bias, and so they recuse themselves. That's not unusual. It's nothing to be concerned about. It will just be assigned to another Judge that doesn't have a bias.

Chairman Arroyo so this probably will last, if you say, probably way beyond our terms. Okay, thanks a lot.

Okay, are there any other issues to discuss? [None] Otherwise, I'll entertain a motion.

VI. Adjournment

Vice Chairman Cruz motion to adjourn.

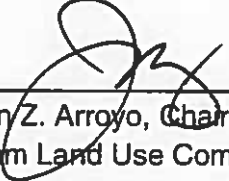
Commissioner Bathen second.

Chairman Arroyo so moved and approved.


The regular meeting of the Guam Land Use Commission for Thursday, July 14, 2016 was adjourned at 3:15 p.m.

Approved by:

Transcribed by:



John Z. Arroyo, Chairman
Guam Land Use Commission



M. Cristina Gutierrez, Pro Tem
DLM, Planning Division

Date approved: 8/11/2016

NOTE: I, M. Cristina Gutierrez, Pro Tem for the Guam Land Use Commission, was not present for the Thursday, July 14, 2016 meeting. Minutes transcribed based on recording of the meeting provided to me by Ms. Celine Cruz, Planner IV, Land Planning Division.



GUAM LAND USE COMMISSION

Chairman John Z. Arroyo
Commissioner Conchita D. Bathan
Commissioner Tae. S. Oh

Vice Chairman Victor F. Cruz
Commissioner
Commissioner (Vacant-3)

Michael J.B. Borja, Executive Secretary
Kristan Finney, Assistant Attorney General

AGENDA

Regular Meeting

Thursday, July 14, 2016 @ 1:30 p.m.

Department of Land Management Conference Room
590 S. Marine Corps Drive, 3rd Floor, ITC Building, Tamuning

I. **Notation of Attendance** [] Quorum [] No Quorum

II. **Approval of Minutes**

- GLUC Regular Meeting of Thursday, June 9, 2016

III. **Old or Unfinished Business**

IV. **New Business**

Zone Change

- A. The Applicant, Mr. Sang Hon Yi represented by W.B. Flores & Associates; request for a zone change from "A" (Rural) to "M1" (Light Industrial) zone for the proposed construction of an automotive repair and fabrication shop, on Lot 5221-1-6 in the Municipality of Barrigada, under Application No. 2014-33.
Case Planner: Penmer Gulac

V. **Administrative and Miscellaneous Matters**

Zone Variance/Renewal

- B. The Applicant, Rosalinda L. Cura; requests renewal of a previously approved Use Variance for a home based operated barber/beauty shop, Lot 18, Block 5, Tract 112, Unit 1, in an "R1" (Single Family Dwelling) zone, in the Municipality of Dededo, under Application No. 2013-43B.
Case Planner: Penmer Gulac

Status Report

- C. The Applicant, BME Sons, Inc., status report for operation of an existing contractor's yard, on Lot 10, Tract 293, in the Municipality of Mangilao, under Application No. 2002-30C.
Case Planner: Penmer Gulac

VI. Adjournment

Celine Cruz

From: Richard J. Sana <richardjsana@yahoo.com>
Sent: Thursday, July 14, 2016 9:42 AM
To: Celine Cruz
Subject: Fwd: Withdrawal from GLUC Agenda 7-14-16

Sent from my iPhone

Begin forwarded message:

From: "Richard J. Sana" <richardjsana@yahoo.com>
Date: July 14, 2016 at 9:19:05 AM ChST
To: Marvin Aguilar <Marvin.Aguilar@land.guam.gov>
Subject: Withdrawal from GLUC Agenda 7-14-16

This is to request that Asia Motors be removed from today's GLUC agenda due to not meeting the requirement for updating the signage for today's meeting. I apologize for any inconvenience it may cause you.

Sincerely,

Richard J. Sana

Sent from my iPhone

ATTACHMENT "B"



EDDIE BAZA CALVO
Governor of Guahan

DIPĀTTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBETNAMENTON GUĀHAN
(Government of Guahan)



MICHAEL JB BORJA
Director

RAY TENORIO
Lieutenant Governor of Guahan

DAVID V. CAMACHO
Deputy Director

July 8, 2016

MEMORANDUM

TO: Chairman, Guam Land Use Commission

FROM: Guam Chief Planner

SUBJECT: Staff Report
Request for Renewal of previously approved Zone Variance (Use)
Application No. 2013-43B

On April 24, 2014, the Guam Land Use Commission approved the Zone Variance application with conditions of Ms. Rosalinda L. Cura's request to conduct a home-based Barber and Beauty Shop on Lot 18, Block 5, Tract 112, Unit 1 in the municipality of Dededo

1. The Commission approved the application for a term of Two (2) years with conditions as noted on project's issued Notice of Action (NOA) (recorded on May 22, 2014 under Document No. 865431)
2. Per conditions issued by the GLUC, planning Staff conducted a 1st year of operation site inspection on May 15, 2015. Staff discovered the facilities met all conditions of the NOA. During this time period no complaint from neighbors, clients, and general public were reported to either the Dededo MPC or any other regulatory agency to include the Department of Land Management. All necessary permits were in order and up to date to include permits for building and occupancy, parking, business license, and sanitary permit with public health department. Likewise, the facility appears to be a viable operation by preventing any nuisance or hardship to the surrounding community (i.e. maintaining appropriate appearance both interior and exterior of the premises, paying gross receipts taxes and other business tax obligations, maintaining locally hired employees and maintaining parking within the premises of the property¹).
3. Likewise, Planning Staff Inspection requirement for the 2nd year of operation was conducted on April 28, 2016. Again, staff discovered the facilities met all conditions of the NOA.

¹ Parking requirements for 544 square feet of space for required 5.44 stalls on site in adequate and includes one (1) ADA (Americans with Disability Act) stall. Clientele parking occurs on the front yard. Employees/staff parking at the rear are acceptable and compliance with Notice of Action (NOA).

Street Address:

30 S. Marine Corps Drive
Suite 733 ITC Building
Tamuning, GU 96913

Mailing Address:

P.O. Box 2950
Hagåtña, GU 96932

Website:

<http://land.guam.gov>

E-mail Address:

dlmdir@land.guam.gov

Telephone:

671-649-LAND (5263)

Facsimile:

671-649-5383

DISCUSSION AND STAFF ANALYSIS: The applicant obtained support of her neighbors, and clients, and no complaints of operations from the first day of its service operation to present, and received the Dededo Municipal Planning Council support for renewal (see attached MPC Resolution)

RECOMMENDATION: Based on our review, inspection, and additional information provided by the applicant and supporting Dededo Municipal Planning Council Resolution for renewal, Planning **recommends approval** of this request for renewal with the following conditions:

- A. Adhere to all *applicable* conditions as specified in the previously issued Notice of Action, as recorded under Document No. 865431;.
- B. This approval shall be for an **additional three (3) years**, to which time shall commence from date of recordation of an updated Notice of Action;
- C. That at the end of each year the facilities shall be subject to an annual inspection to insure compliance of conditions as issued by the Commission are adhered to; and
- D. That upon the applicant's desire to either discontinue such use and/or transfer current business activities to a new owner or operator, that the Guam Chief Planner be notified of such intent for the purpose of providing additional guidance to the applicant.



Marvin Q. Aguilar
Guam Chief Planner



Case Planner: Penmer C. Gulac

RECEIVED

4/22/2016

DM Planning

CG

Request for Renewal Application 2013-43 (Use Variance)

To:

Mr. John Arroyo

Chairman

Guam Land Use Commission

c/o Division of Planning

Department of Land Management

P.O. Box 2590

Hagatna, GU 96932

From:

Rosalinda Cura

Owner

L&K's Beauty and Barber Shop

P.O. Box 25729 Barrigada, GU 96921

DATE 4-18-16

Mr. John Arroyo
Chairman
Guam Land Use Commission
c/o Division of Planning
Department of Land Management
P.O. Box 2950
Hagåtña, GU 96932

Re: Request for Renewal
Application 2013-43
(Use Variance)

Dear Mr. Arroyo:

On April 24, 2014 the Guam Land Use Commission entertained and approved my request to operate a home-based barber and beauty shop on my residential property located along Y-Seng Song Road. I was issued a Notice of Action, as attached.

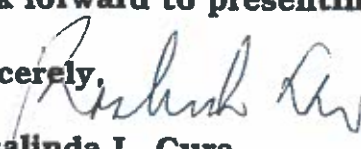
As part of my approval my use variance was allowed up to two years from the date of recordation of my Notice of Action. After this term I am required to submit this request for extension should I wish to continue my operations. I therefore submit this official request to the Commission for its favorable consideration to continue operating my shop.

I further submit to you that during the two years of operations, I have complied with all requirements and conditions of my Notice of Action. Also, please find an attached letter from the Mayor of Dededo and her Municipal Planning Council, expressing their concurrence and support for me to continue operating my barber and beauty shop.

If approved I assert my intent to provide a service of convenience to my community and will continue to do so without any complaints or negative impact to my neighbors and surrounding community.

Your kind consideration in this request will be very much appreciated and look forward to presenting this matter before the commission.

Sincerely,


Rosalinda L. Cura
Owner and Operator

**DEDEDO MUNICIPAL PLANNING COUNCIL
MUNICIPALITY OF DEDED**

RESOLUTION NO. 2016-03

Introduced by:

Melissa B. Savares, Chairperson

Andrew Peter A. Benavente, Vice Chairperson

MEMBERS:

Acda, Romy

Artero, Pascual V.

Chan, Jose-Arthur Jr.

Cruz, Elizia

Espnosa, Laura

Gines, Bernardo

Mafnas, Frank

Makepeace, Annie

Pangelinan, Edith

San Nicolas, Joseph

Tainatongo, Carmen

Wusstig, Ernie

Relative to the Dededo Municipal Planning Council's (DMPC) support for the renewal of Zone Variance application to operate a home-base barber and beauty shop business on Lot No. 18, Block 5, Tract 112, known as 370 Y-SengSong Rd. in the Municipality of Dededo.

BE IT RESOLVED BY THE DEDEDO MUNICIPAL PLANNING COUNCIL:

WHEREAS, on Tuesday, April 12, 2016, members of the Dededo Municipal Planning Council (DMPC) reviewed and discussed the request to renew the zone variance for Rosalinda L. Cura, owner of the above property to continue to operate a home-base barber and beauty shop business; and

WHEREAS, immediate neighbors were surveyed for any objections; however, there were no objections this application for renewal of the zone variance; and

WHEREAS, traffic flow was observed by DMCP Chairperson on Monday, April 4; Wednesday, April 6; and Friday, April 8, between the hours of 4:00 p.m. to 5:30 p.m. to observe for any congestion caused by customers entering and exiting the business. There was none; and

BE IT RESOLVED, that after thorough discussion members moved to support the zone variance renewal for Rosalinda L. Cura to continue to operated her home-base barber and beauty shop business at the address indicated above; and therefore be it

FURTHER RESOLVED, that the Chairperson of the Dededo Municipal Planning Council certify to and the secretary attest the adoption hereof and that copies of the same be therefore transmitted to the Department of Land Management, Department of Public Health & Social Services, Department of Public Works and the Department of Revenue & Taxation.

DULY RECORDED AND REGULARLY ADOPTED BY THE DEDEDO MUNICIPAL PLANNING COUNCIL ON THIS 12th DAY OF April 2016.


MELISSA B. SAVARES, MAYOR OF DEDEDO


YVONNE S. ACDA, Secretary DMPC

Side Driveway



Driveway entering backyard

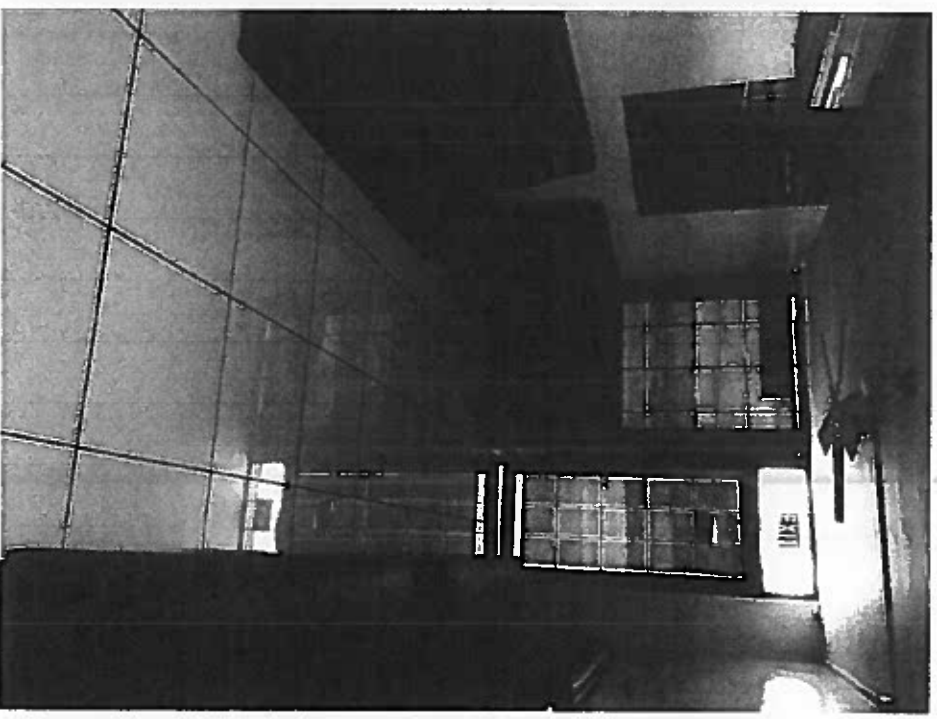


located on the far left side of the house when facing house from the main road

Barber Working Area



Customer Seating Area



ATTACHMENT "C"

DIPATTAMENTON MINANEHAN TĀNO'
(Department of Land Management)
GUBETNAMENTON GUĀHAN
(Government of Guahan)



EDDIE B. CALVO
Governor

RAY TENORIO
Lieutenant Governor



MICHAEL J.B. BORJA
Director

DAVID V. CAMACHO
Deputy Director

Street Address:

30 S. Marine Corps Drive
Suite 733 ITC Building
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Mailing Address:

P.O. Box 2950
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Website:

<http://land.guam.gov>

E-mail Address:

dlmdir@land.guam.gov

Telephone:

671-649-LAND (5263)

Facsimile:

671-649-5383

July 1, 2016

MEMORANDUM

TO: Guam Land Use Commission (GLUC) Members

FROM: Guam Chief Planner

SUBJECT: Supplemental Staff Report – Request Annual Reporting
Zone Variance (Use) – Ref: Application No. 2002-30C;
GLUC Meeting: July 14, 2016

1. PURPOSE:

- A. Application Summary: BME & Sons, Inc. request for review and annual reporting for the continued operation and uses of an Approved Zone Variance (Use) to operate a Contractors' Yard in an "A" (Rural) Zone, Lot 10, Tract 293, Municipality of Mangilao, Ref Application No. 2002-30C.
- B. Legal Authority: Title 21 GCA, Chapter 61 Zoning Law, Article 3 – Use Regulations, Section 61616 (Variances) and 61617 (Variance requirements)

2. FACTS:

- A. Location: The subject lot is located in Mangilao, South of Sunrise Villa Subdivision via Camela Lane and fronting Golden Cupid Road, and approximately 600 feet southwest of Latte Heights (See attached VIC map).
- B. Lot Area Size: The total area size is 3,750 square meters or 40,364.51 square feet; approximately 1.0 acre.
- C. Present Zoning: "A" (Agricultural)
- D. Masterplan: Undesignated
- E. Previous Commission Action(s):

1. On November 6, 2008, the applicants, BME & Sons, Inc., was granted approval by the Guam Land Use Commission for a Zone Variance (Use) for a term of Five (5) years and expiring December 11, 2013; in order to operate a contractor's yard on the above subject lot with condition that applicants meet the conditions imposed by the Commission and comply with Application Review Committee conditions;

Page 2,

Supplemental Staff Report;

July 1, 2016

Ref: Annual Reporting of Zone Variance (Use)

Lot 10, Tract 293, Mangilao

Ref: Application No. 2002-30C (BME & Sons, Inc.)

Note: 1. The approval was for another five (5) years from December 11, 2008 to December 11, 2013. During the period, the applicants have been complying to all ARC conditions and have good standing in the community.

2. On May 28, 2015, the applicants, BME & Sons, Inc., was granted approval by the Guam Land Use Commission for a Zone Variance (Use) for another term of Five (5) years effective 12/11/2013 with an expiration of 12/11/2018 in order to operate a contractor's yard on the above subject lot with condition that applicants meet the all conditions imposed by the Commission and comply with Application Review Committee conditions, and with an exception of the reporting; that the reporting be changed from six (6) months to Annual Reporting basis effective June 2015 to include photographs of the facility.

3. DISCUSSION:

On June 6, 2016, BME& Sons, Inc., submitted a letter of request for annual reporting of their use variance that per Notice of Action (NOA) dated June 11, 2015, recorded on June 26, 2015; subject to Annual Reporting; the expiration term of the zone variance is December 11, 2018. BME & Sons reported that they have complied with all ARC conditions and have maintained good standing in the community, no complaints/problems or negative impacts of their operations, and have been pro-active in the community civic action projects and village mayor's projects as well as a good neighbor in the immediate area.

On June 6, 2016; Planning Staff conducted a site inspection and found to be in compliance with all conditions of the initial 12/11/03 commission approval and all previous commission approval's and conditions thru May 28, 2015; the site/area/yard is well maintained. The property is fenced for security purposes, the company activities observed on site to be routine, such as loading of supplies and materials for off-site projects, and administrative office and support operations. Staff further note of no significant impacts of on-going activities in the immediate area observed or noted during time inspection.

On June 14, 2016, Mangilao Mayor & Vice Mayor and together with Municipal Planning Council (MPC) submitted support letter of for annual reporting and continue operations and noted BME & Sons contribution to the community.

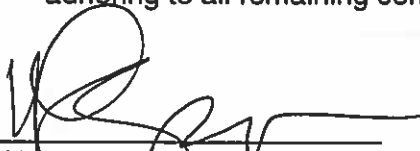
On June 30, 2016, the Mayor and Vice Mayor of Barrigada submitted an official letter of support for the annual reporting and continuing operations of BME's Contractors' Yard on Lot 10, Tract 293, Mangilao, that they contribute to development in the community and surrounding areas.

Page 3,
Supplemental Staff Report;
July 1, 2016

Ref: Annual Reporting of Zone Variance (Use)
Lot 10, Tract 293, Mangilao
Ref: Application No. 2002-30C (BME & Sons, Inc.)

The company's contractors' yard and its activities on the subject lot have co-exist within the residential neighborhood, their continued efforts in improving the landscape of the property is not negatively detrimental to the surrounding community; an active civic action/community partner, with many ongoing projects both short and long term, are for the improvement of infrastructure and to help improve and sustain the quality of life for our community, and also the military expansion on our island. Hence, with the company's operation on the property and a myriad of activities at an ever increasing level, the increase of employees (local and off-island hires) to support on-going community and federal/military projects, the company have continued to positively contributed to the increase of the island's economic tax base and is indicative to be a critical asset to the economic prosperity of our island community.

RECOMMENDATION: Having complied with previously approved variances and conditions imposed by the Guam Land Use Commission, and based on the above, planning staff recommends approval of the applicants request for continued operations and annual report submission of a contractor's yard, with all ARC conditions still applicable and in force and must continue adhering to all remaining conditions imposed by the Commission.



MARVIN Q. AGUILAR
Guam Chief Planner

Attachment: Letter from BME & Sons, MPC Letter & Mayor's Letter of Support,
Project listings, NOA;s noted

✓ Case Planner: Penmer C. Gulac, Planner IV



Office of the Mayor

MUNICIPALITY OF MANGILAO

Nonito 'Nito' C. Blas
Mayor

Allan 'Al' R.G. Ungacta
Vice Mayor

RECEIVED
JUN 14 2015

Department of Land Management
Time 10:10 AM

MB 6/15
Korlac 6/13/16
Cane Planting D.U.

Chairman and Members
Guam Land Use Commission
Department of Land Management
Tamuning, Guam 69331

Subject: Request for Support for Annual Reporting of our Contractor's Yard;
Lot 10, Tract 293 Municipality of Mangilao, Guam for BME & Sons, Inc.;
Ref GLUC Application #2002-30C (Zone Variance)

Open for
File to
enlist.

Dear Mr. Chairman:

Buenas yan Hafa Adai! This is to inform you that Mayor Nonito Blas and Vice Mayor Allan Ungacta, together with the Mangilao Municipal Planning Council support the request for Annual Renewal of Conditional Use Permit to Operate Facility for Temporary Workers (HFTW) on Lot No. 5223-R9-3, Municipality of Mangilao, Guam for BME & Sons, Ref GLUC #1997-23B and Continuing Operations of a Contractor's yard on Lot 10, Tract 293 Mangilao.

Once again, our support demonstrates the Municipal Planning Council's agreement with the proposed use of the property by the current landowner, BME & Sons, Inc. The renewal request will contribute to the community as well as be of social benefit to all of the residents in the surrounding area.

Nonito C. Blas,

Mayor

Cc: BME & Sons

02/



BME & SONS INC.

GENERAL CONTRACTOR & EQUIPMENT RENTAL

P.O. Box 24402, GMF, Barrigada, Guam 96921 * Tel: (671) 632-3338 * 637-5498 * Fax: (671) 632-3334
E-mail: bvm@bmesons.com

June 6, 2016

Mayor Nito Blas
Mayor of Mangilao

Subject: Request for Support for Annual Reporting of our Contractor's Yard;
Lot 10, Tract 293 Municipality of Mangilao, Guam for BME & Sons, Inc.;
Ref GLUC Application #2002-30C (Zone Variance)

Hafa Adai Mayor Blas,

We are again requesting for your support for our annual reporting to the Guam Land Use Commission of our Contractor's Yard on Lot 10, Tract 293, Municipality of Mangilao, see attached Notice of Action.

We actively continue to adhere to the conditions imposed by the Guam Land Use Commission approval on May 28, 2015 which are still applicable, conditions of the variance apply for Five (5) years effective on 12/11/2013 and expires on 12/11/2018, under Application No. 2002-30C; We have continued and actively supported community projects in your village when requested and participate in island beautification as well as donate our services to non-profit organization. Most recently, assisted in clean-up and preparation of some schools for FESTPAC 2016.

We are proud to report of no complaints from neighbors, no incidents or violations of our site daily operations, always maintain a clean area and surrounding and be a good neighbor to nearby residential area.

We hope for your usual kind attention of this request and for your favorable consideration.

Very truly yours,

Bernie V. Maranan
President

Attachment:
Notice of Action

Office Site Address: #132 Golden Cupid, Latte Hts, Mangilao, Guam

BARRIGADA

Office of the Mayor & Vice Mayor
124 Luayao Lane, Barrigada, Guam 96913

RECEIVED

JUN 30 2016

Department of Land Management
Time 9:40 Intd [initials]

June 22, 2016

Mr. John Arroyo,
Chairman, Guam Land Use Commission
Department of Land Management
Tamuning, Guam 96931

Re: Support for BME & Sons Annual Reporting of their Contractor's Yard; Lot 10, Tract 239
Municipality of Mangilao, GLUC Application 2002-30C

Dear Mr. Chairman:

Buenas yan Hafa Adal! This is to inform you that Vice Mayor Jessie P. Bautista and I, together with the Barrigada Municipal Planning Council support the request for Annual Renewal of Conditional Use Permit to Operate Facility for Temporary Workers (HFTW) on Lot No. 5223-R9-3, Municipality of Barrigada, Guam for BME & Sons, Ref GLUC #1997-23B and Continuing Operations of a Contractor's yard on Lot 10, Tract 293 Mangilao.

Once again, our support demonstrates the Municipal Planning Council's agreement with the proposed use of the property by the current landowner, BME & Sons, Inc. The renewal request will once again contribute to the development of our community as well as contribute to the social benefit of our residents including those in the surrounding boundary area.

More importantly, the Barrigada Municipal Planning Council exercising its rights and privileges to review all conditional land use requests involving real property within the its boundaries, does hereby support and endorse the request.

Thank you and on behalf of BME and Sons, Inc., we look forward to the Commission's endorsement of their renewal request.

Sincerely,


JUNE U. BLAS
Mayor


JESSIE P. BAUTISTA
Vice Mayor

cc: BME & Sons, Inc.
P.O. Box 24402, GMF
Barrigada, Guam 96921

WALC
7-1-11

DEPARTMENT OF LAND MANAGEMENT
LAND PLANNING DIVISION
SITE INSPECTION REPORT - FIELD WORK

Planner/Staff: <u>P. Galan</u>		Date of Request: <u>6/6/16</u>
Date of Inspection: <u>6/8/16</u>		Time of Inspection: <u>9:45</u>
Project Name: <u>BME Cont. Yard Manguilo</u>		
Lot Number: <u>10, Tract 293</u>		Municipality: <u>Manguilo</u>
Description: <u>Annual Inspection for GLUC</u> <u>NOA compliance / renewal of operation for BME &</u> <u>Sm; Ref. 2002-30C.</u>		
Type of Inspection: <input type="checkbox"/> Occupancy <input type="checkbox"/> Site <input checked="" type="checkbox"/> Other		
Contact Person: <u>Bernie Maranan</u>		Phone: <u>632-3338</u>
Findings: <u>Premises well maintained and</u> <u>satisfied all conditions of Notice of Action 2002-30C</u> <u>dated June 11, 2015; GLUC mts of May 28, 2015.</u> <u>Contractor License, supporting projects attached and</u> <u>facility photographs.</u>		
OCCUPANCY INSPECTION ONLY: <input type="checkbox"/> IN COMPLIANCE <u>Recommend Approval</u> <u>for Annual</u> <u>Renewal</u> <input type="checkbox"/> NOT IN COMPLIANCE		
ATTENTION: All inspection must be approved three (3) days in Advance by Guahan Chief Planner <u>P. Galan 6/8/16</u>		
Applicant:		
<u>P. Galan</u> Case Planner		<u>[Signature]</u> Approved <input checked="" type="checkbox"/> Guahan Chief Planner
Revised: March 2010		



BME & SONS INC.

GENERAL CONTRACTOR & EQUIPMENT RENTAL

P.O. Box 24402, GMF, Barrigada, Guam 96921 * Tel: (671) 632-3338 * 637-5498 * Fax: (671) 632-3334
E-mail: bvm@bmesons.com

June 6, 2016

Mr. John Z. Arroyo, Chairman and Commissioners
Guam Land Use Commission (GLUC)
c/o Guam Chief Planner, DLM Land Planning Division 3rd Flr ITC Bldg
Tamuning, Guam 96911

P. Gularac 6/6/16
RECEIVED
Land Planning Div

Subject: Annual Reporting to the GLUC of Contractor's Yard operation ;
Lot 10, Tract 293 Municipality of Mangilao, Guam for BME & Sons, Inc.;
Ref GLUC Application #2002-30C (Zone Variance)

Hafa Adai Mr. Chairman & Commissioners,

We are again requesting for your consideration to appear before you and for our annual reporting to the Guam Land Use Commission of our Contractor's Yard on Lot 10, Tract 293, Municipality of Mangilao, see attached Notice of Action (NOA) and supporting documents.

We actively continue to adhere to the conditions imposed by the Guam Land Use Commission approval on May 28, 2015 which are still applicable, conditions of the variance that apply for Five (5) years effective on 12/11/2013 and expires on 12/11/2018, under Application No. 2002-30C; We have continued and actively supported community projects in your village when requested and participate in island beautification as well as donate our services to non-profit organization. Most recently, assisted in clean-up and preparation of some schools for FESTPAC 2016.

We are proud to report of no complaints from neighbors, no incidents or violations of our site daily operations, always maintain a clean area and surrounding and be a good neighbor to nearby residential area. All required Contractor's License have been renewed and all taxation requirements have been reported and satisfied as required by law. We continue to employ local and imported H2 workers to help sustain and improve our island's economic base.

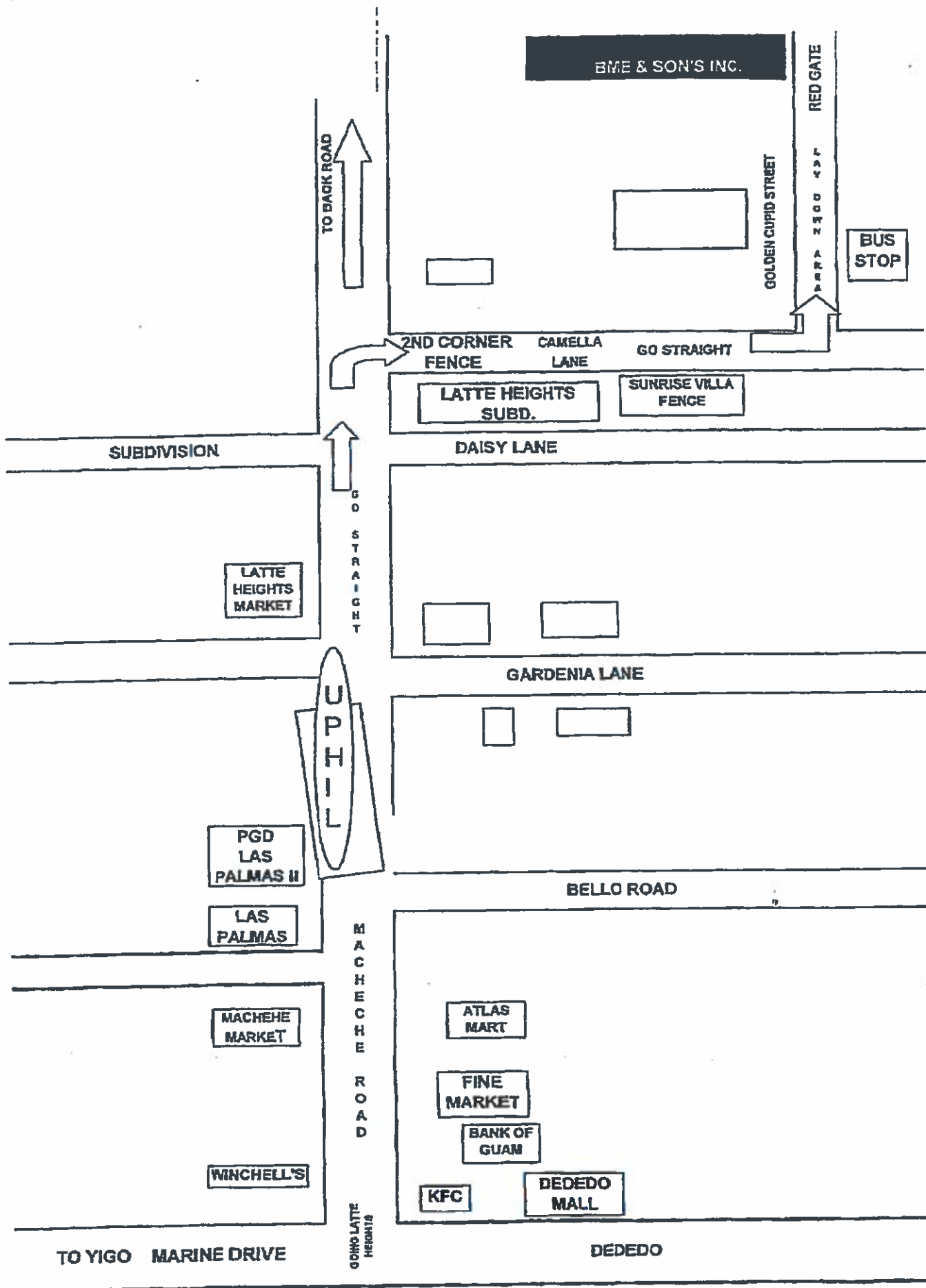
We hope for your usual kind attention of this request and for your favorable consideration.

Very truly yours,

Bernie V. Maranan
President

Attachment:
Notice of Action

Office Site Address: #132 Golden Cupid, Latte Hts, Mangilao, Guam



2017

CONTRACTOR'S LICENSE

EDDIE BAZA CALVO
Governor of Guam

RAY TENORIO
Lt. Governor of Guam


Pursuant to the provisions of Chapter VII Title XI of the Government of Guam and the Rules and Regulations of the Contractors License Board, the Executive Director of Contractors hereby issues this license to:


BME & Son's Inc.

To engage in the business or act in the capacity
of a contractor in the following classifications

A,B,C3,C5,C7,C10,C11,C12,C13,C13A,C17,C18,C19,C20,C21,C24,C26,
C27,C29,C32,C33,C37,C40,C42,C44,C45,C48,C51,C55 & C68 (Epoxy,
Electrical Cable Casing)

This license is the property of the Executive Director of Contractors, not transferable, and shall be returned to the Executive Director upon demand when suspended, revoked, or invalidated for any reason. It becomes void if not renewed on or before the expiration date.


Signature of RME
RME #

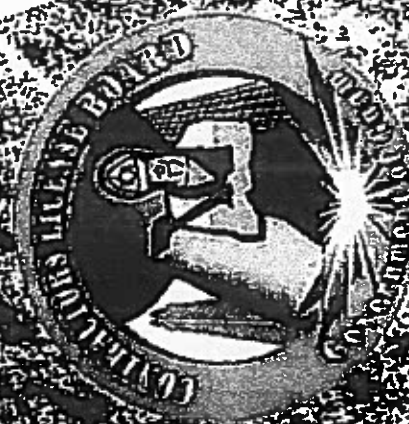

Signature of LICENSEE
License # 3028


GRT # 86868

Certificate # C-0416-0057

Issued: April 26, 2016

Expires: June 30, 2017




EDUARDO R. ORDONEZ
EXECUTIVE DIRECTOR

BME & SONS, INC.

LIST OF ON-GOING AND COMPLETED PROJECTS

6/6/2016

ON-GOING PROJECTS	Award Date	Contract No.	Contract Amount
TO#74 RM1113139/1113140/1113141 Energy Projects - Retro	7/12/2013	N40192-09-D-2702	7,810,181.22
DR. CONRAD ALEGRIA TOWNHOUSE	4/8/2016		1,693,000.00
GIAA FY14-04-1 TSA Recapitalization and Optimization Project	1/5/2015	GIAA-15-001	4,385,689.79
GIAA-FY15-02-1 Airport Restroom Renovations	5/1/2015	GIAA-FY15-02-1	350,000.00
GIAA C01-FY16 West Tiyan Perimeter Fence and Gates	1/28/2016	GIAA C01-FY16	479,606.15
GMHA Replacement of Two Cooling Towers	1/20/2015		244,680.00
GPT Rehabilitation of the Guam Legislature Building	4/17/2015		6,976,419.63
Macy's Relocation of Electrical at Men's/Home and Kids Building	7/20/2015		35,373.94
PAG CIP-014-005 Marine Service Life Extension Wharf Repair	6/23/2014	PAG-CIP-014-005	5,147,713.50
Construct Tumon Bay Mall (TBM) - Phase 1 Civil Works	12/19/2014		3,641,269.00
Tumon Mall Bus Shelter	8/24/2015		120,000.00
WMES BUILDING	4/4/2016		1,910,532.11
DPW Demolition, Removal and Disposal of Debris and Materials	8/27/2015		345,085.91
Galaide Ground - Painting of Museum			18,360.00
GIAA FY16-62333 Air Quality Control for PacAir Cargo Building	1/25/2016		14,250.00
Macys Expansion Shell Building & Parking Lots at Micronesia Square	12/19/2014		5,558,892.40
COMPLETE PROJECTS	Award Date	Contract No.	Contract Amount
COMPLETED AND COLLECTED 2015	Date	No.	Amount
TO#62 AJJY113000 Replace Conventional Water Heaters and	3/7/2012	N40192-09-D-2702	1,398,888.54
TO#75 RM1113119 Base Wide Exterior Lights Phase 1, Andersen	8/30/2013	N40192-09-D-2702	1,473,950.93
TO#76 WR7183755 Replace 12 inch Steel Water Pipe Navy Exchange	11/19/2013	N40192-09-D-2702	369,684.38
TO#77 WR7409113 Replace/Upgrade 10" C/ACP Sewerline to	4/2/2014	N40192-09-D-2702	492,000.00
CEN-TAM BLDG.			45,559.00
ELAINE ZABALA HOUSE EXTENSION	11/24/2014		15,000.00
GIAA-FY15-61327 Expansion Loop Replacement Delta Office	2/19/2015		20,950.00
INC Air Conditioning Package Unit Retrocom (2-50 Tons Unit)	2/28/2015		1,705.00
ITC San Vitores Condo Bldg E Unit 15 Renovation	2/9/2015		15,000.00
ITC Water Blasting of ITC Bldg, Walls	8/3/2015		15,500.00
ITC Installation of Owner Furnished LED Lighting	1/8/2015		95,970.00
ITC Venue Demolition Work	2/5/2015		35,541.00
PAG 12248-OF Demolition of Existing Crane Warehouse	9/21/2015		26,480.00
THG			3,500.00

COMPLETED AND COLLECTED 2014			
TO#58 WR#C87LR Replace Nimitz Hill Booster Pumps, Building	12/30/2011	N40192-09-D-2702	388,013.37
TO#61 RM#11-4441 Install Solar Water Heaters Low Flow Fixtures	2/10/2012	N40192-09-D-2702	793,457.00
TO#64 WR#CF6GH Install Hardened Canopy Covers to Various	7/27/2012	N40192-09-D-2702	339,340.56
TO#67 WR#5448112 Repair and Modernization of B75 Naval Exchange	9/20/2012	N40192-09-D-2702	958,676.49
TO#72 WR#5579860 (H-08-12) Correct Flooding Issue at House	9/22/2012	N40192-09-D-2702	64,187.32
Apolinario Mabini Monument	11/6/2014		14,100.00
GPA-011-13 Tumon Substation Transformer Capacity Upgrade	4/3/2013	GPA-011-13	1,082,269.37
GDOE IFB 018-2013 L.P. Untalan Middle School Renovation at	7/29/2013		6,981,111.21
GIAA FY13-06-01 TSA Expansion CCO & Offices/Conference	8/12/2013		426,170.65

Goodwin - Replacement of Cantilever Platform	6/2/2014		30,188.83
ITC Building Exterior Painting	11/6/2013		289,131.23
ITC - RE-COATING OF TENNIS FLOOR DECK	12/4/2014		16,000.00
JR4F Exterior Painting of 10 Warehouses at Tamuning Industri	2/17/2014		81,950.00
MEDPHARM WAREHOUSE	8/15/2014		75,455.31
PAG CIP-013-001 Installation of the Motor Operated Valve at C	1/31/2013	PAG CIP-013-001	424,990.46
Polyphase - GPA Hagatna Substation (Sub-contract civil works	9/20/2013		194,012.22
Sinajana Pharmacy	2/12/2014		73,866.30
SRF Office Renovation	3/11/2014		534,437.00
SRF - PMT Building Renovation	8/21/2014		27,371.52
SRF - Data Cable Installation	9/11/2014		16,000.00
UOG Design & Build for Air Conditioning Retrofits for CNAS Bld	10/23/2012	BC110533	1,400,000.00

COMPLETED AND COLLECTED 2013			
TO#49 WR#C8WM8 Replace Metal Building with Concrete Str	8/25/2011	N40192-09-D-2702	375,831.76
TO#51 WR#C6YXW Provide 20,000 Gallon Aboveground Stora	8/27/2011	N40192-09-D-2702	280,261.44
TO#65 WR#544634 Repair and Paint Building 2, Naval Base G	8/7/2012	N40192-09-D-2702	436,522.30
TO#66 WR#5451885 Misc. Repairs to Polaris Point Club (B442	8/23/2012	N40192-09-D-2702	260,384.44
TO#68 WR#5924835 / 6324948 Repair Spalled Concrete at BE	8/30/2012	N40192-09-D-2702	334,828.27
TO#69 WR#5446808 Repair and Paint Missile Maintenance Fa	8/30/2012	N40192-09-D-2702	254,474.13
TO#70 WR#5443059 Miscellaneous Repairs to Training Facility	9/20/2012	N40192-09-D-2702	275,773.52
TO#71 WR#5676493 Repair Fire Protection System, Bldg. 180	9/20/2012	N40192-09-D-2702	113,224.15
TO#73 WR#6062717 Repairs Various Manholes and Handhole	9/23/2012	N40192-09-D-2702	315,357.48
GDOE IFB 018-2012 George Washington High School STEM C	6/7/2012	IFB 018-2012	2,658,178.14
GDOE IFB 008-2012 Souther High School Fine Arts Auditorium	5/19/2012	IFB 008-2012	3,944,733.63
GDOE IFB 007-2012 Souther High School Gymnasium Renova	5/19/2012	IFB 007-2012	3,275,959.31
GIAA FY13-59600 Replacement of FIDS Cabinet on Concourse	6/7/2013	GIAA-FY13-59600	35,280.00
GPA-002-12 Upgrade Fire Protection and Smoke Alarm Syste	2/21/2012	GPA-002-12	432,700.77
GPA-003-12 Upgrade Fire Protection and Smoke Alarm Syste	2/21/2012	GPA-003-12	646,538.18
ITC - Repair of Expansion Joint	3/11/2014		23,431.23
PAG CIP-013-002 Warehouse 1 Demolition of CMU Wall and C	4/1/2013		75,500.00

COMPLETED 2012			
TO#37 WR#65778 Replace Upgrade 12-Inch CIP with New 14-	4/29/2011	N40192-09-D-2702	473,681.49
TO#38 WR#CBG6B Repair and Modernize Security HQ WHSE	5/18/2011	N40192-09-D-2702	372,422.51
TO#39 WR#CF6GL, Install 6-Inch PVC Loop Line Along Turner	5/26/2011	N40192-09-D-2702	217,222.40
TO#15 WR#C7HCJ Emergency Repair to Exterior & Interior Bu	8/20/2010	N40192-09D-2702	221,330.74
TO#41 WR#AJJY 10-1155 Replace 2 each unit, LOX Plant, Bu	6/30/2011	N40192-09-D-2702	53,786.82
TO#42 WR#AJJY 10-1191 Replace Air Handling Unit Hangar 4	6/24/2011	N40192-09-D-2702	233,452.38
TO#43 WR#C8WMP Building 1010 Investigate & Repair Erosio	7/28/2011	N40192-09-D-2702	197,708.02
TO#44 WR#CB37F & CB37G Install Motorized Winches, Air D	7/28/2011	N40192-09-D-2702	445,772.10
TO#45 AJJY 07-1105 Repair Chilled Water System B25010, A	8/3/2011	N40192-09-D-2702	557,101.57
TO#46 WR#C9CPS Install Telemetry system for Adelup Boost	8/16/2011	N40192-09-D-2702	599,661.66
TO#47 WR#CHKTT Miscellaneous Repairs B600 (Bowling Alle	8/12/2011	N40192-09-D-2702	261,708.31
TO#48 WR#C8XGS Miscellaneous Repairs to Bldg. 465, Nava	8/19/2011	N40192-09-D-2702	163,150.40
TO#50 WR#CF847 Miscellaneous Repairs To BEQ Bldg. 4, Na	9/28/2011	N40192-09-D-2702	458,713.31
TO#51 WR#C6YXW Provide 20,000 Gallon Aboveground Stora	8/27/2011	N40192-09-D-2702	280,261.44
TO#52 WR#CF6T6 Miscellaneous Repairs to Bldg. 1 Naval Ba	8/26/2011	N40192-09-D-2702	309,408.83
TO#53 WR#C4JWB Install Pressure Regulating Valve with Byp	8/29/2011	N40192-09-D-2702	358,660.10

TO#54 AJJY 11-1322 Renovate Arc Light Park, Construct Jog	9/26/2011	N40192-09-D-2702	451,272.66
TO#55 WR#CK83T Provide Generator Enclosure, Old Football	9/27/2011	N40192-09-D-2702	239,555.43
TO#56 WR#CJGN3 Correct Drainage at 2251 Safford Road Lo	9/30/2011	N40192-09-D-2702	75,227.77
TO#57 WR#CHVHG Miscellaneous Repairs to Building 740NM	10/20/2011	N40192-09-D-2702	294,199.29
TO#59 WR#CJNZR Miscellaneous Repairs and Renovation, B	1/20/2012	N40192-09-D-2702	153,354.69
TO#60 RM#11-4702 Replace Light Fixtures and Install Temper	2/10/2012	N40192-09-D-2702	1,361,290.00
TO#6001 WR#AJJY 10-1050/10-1051/11-1229/11-1442 Repair	8/17/2012	N40192-09-D-2702	359,894.43
TO#63 WR#CGKBK Install Security Ventilation and Personnel	6/7/2012	N40192-09-D-2702	56,598.56
PAG CIP-012-003 Gregorio D. Perez Marina Dock "A" & "B" Pi	5/2/2012	CIP-012-003	96,230.00
TEMS-RFQ-11-003 Waterline Replacement Fire Hydrant Syste	5/23/2011	TEMS-RFQ-11-003	340,442.85
TEMS-RFQ-11-004 Installation of Fire Protection System for Fu	5/23/2011	TEMS-RFQ-11-004	1,124,859.66
UOG Design - Build for Air Conditioning Retrofits for CNAS	9/1/2011	BC110533	525,000.00
UOG CNAS & Science Bldg. Renovations	7/22/2011	BC110412	965,734.89
CYBERTECH HOLDING Bldg 289 Security Camera Pole	6/26/2012		19,000.00
DKHS Micronesia			372,600.00
DIOR Interior Fit-Out, DFS Galleria	11/6/2012		178,044.30
PAG 9733-OF Repair of Rusted Waterline & Install 1 Backflow	3/30/2012	9733-OF	9,892.32
GIAA- Sounds Insulation	9/4/2008	GIAA-C008-007	3,802,235.51

Completed Projects 2011

DO#42 WR#C5S2G-32557 Repair & Repaint Exterior Wall Bldg	2/2/2010	M40192-06-D-2582	106,225.14
DO#47 WR#C5R4J-32867 Painting Indefinite Delivery Indefinite	6/4/2010	N40192-06-D-2582	1,219,590.96
DO#49 WR#C9GT4 Exterior Painting at B-206, 291, 292A, 295	9/28/2011	N40192-06-D-2582	106,989.46
JQ#34 WR# AJJY 00-5751 Replace Fire Alarm System at the f	9/28/2010	N40192-09-D-2702	130,812.55
TO#12 WR#C55SD Miscellaneous Repairs to Building 203, Join	7/22/2010	N40192-09-D-2702	608,490.39
TO#13 Building Modification, BLDG NO. 100, RADIO BARRIGA	8/10/2010	N40192-09-D-2702	261,637.82
TO#14 WR#31273 Provide Repair/Renovate Gallery at Bldg. 5	8/6/2010	N40192-09-D-2702	385,989.65
TO#16 WR#C8SFV/55962 Repair Sewer Manholes, Main Base	8/21/2010	N40192-09-D-2702	198,939.26
TO#18 WR#C8CB7-65784 Replace Asbestos Sewer Force Ma	9/8/2010	N40192-09-D-2702	258,151.12
TO#17 WR#C7H3H Renovate Front Desk Space into ABA Con	9/8/2010	N40192-09-D-2702	133,229.24
TO#19 WR#FY10 AF MILCON Install Electrical Components to	9/22/2010	N40192-09-D-2702	1,624,991.12
TO#20 WR#C55SS Miscellaneous Repairs to Various Bridges,	9/29/2010	N40192-09-D-2702	290,182.80
TO#34 WR#C5Y64-32954 Repair Fire Damaged Unit at North	9/10/2011	N40192-09-D-2702	138,732.01
TO#35 WR#1111863 Install Antenna Field Security and Fire Al	9/23/2010	N40192-09-D-2702	814,641.38
TO#36 WR#C6XXC Harden Pre-engineered Building (B) - Exte	3/31/2011	N40192-09-D-2702	261,390.89
TO#40 WR#C6BFX Miscellaneous Repair to Bldg. 900 NMCEA	6/8/2011	N40192-09-D-2702	293,611.38
GIAA-Expansion Loop	7/6/2011	GIAA-FY11-57611	30,957.00

Completed Projects 2010

DO#34 WR#32855 Exterior Painting of 296 Units at Harbor & B	2/23/2010	N40192-06-D-2582	1,444,469.58
DO# 35 Ext. Paint 132Units S.	8/5/2009	N40192-06-D-2582	588,356.00
DO# 37 Ext Painting B4175 Complex	9/19/2009	N40192-06-D-2582	212,103.70
DO#40 WRC4KWS-2010NV Paint Exterior of Bldg. 768 Gym, N	1/29/2010	N40192-06-D-2582	22,362.27
DO#41 WR#C4N7R-31351 Prepare & Paint Bldg 364, 372, 373	1/29/2010	N40192-06-D-2582	106,061.04
DO#44 WR#C5RZYRepair & Repaint Exterior Walls Bldg 132,	2/19/2010	N40192-06-D-2582	97,968.75
DO#43 WR#C4N7K-32578 Repair & Repaint Bldg. 179 & 1000	2/22/2010	N40192-06-D-2582	90,411.80
DO#46 WR#C5R4G-3266 To Perform Complete Exterior Paint	5/10/2010	N40192-06-D-2582	265,034.91
DO#48 Exterior Painting of Bldg. 100, 500 & Retaining Wall at	8/10/2010	N40192-06-D-2582	62,042.09
TO#2 WR#31126 Miscellaneous Repairs to Bldg. 3192 Polaris	2/23/2010	N40192-09-D-2702	297,647.19

BME and SONS





BME & SONS INC.
104-03311432-1154-100-107116-12-1000
BME & SONS INC. • 104-03311432-1154-100-107116-12-1000

STOP



